

Friday, March 16, 2012  
9:57 AM

AO 440 (Rev. 12/09) Summons in a Civil Action

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UNITED STATES DISTRICT COURT

for the

District of New Mexico

PHILLIP MOCEK

\_\_\_\_\_  
*Plaintiff*

v.

CITY OF ALBUQUERQUE, ET AL.

\_\_\_\_\_  
*Defendant*

)  
)  
)  
) Civil Action No. 11-cv-1009 BB/KBM  
)  
)  
)

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* GERALD ROMERO  
TSA  
2920 YALE BLVD SE, STE A  
ALBUQUERQUE, NM 87106

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: MARY LOUISE BOELCKE  
ATTORNEY FOR PLAINTIFF  
PO BOX 31033  
ALBUQUERQUE, NM 87190

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 12/09/2012

Jennifer Calardo  
\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. 11-cv-1009 BB/KBM

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Gerald Romero  
 was received by me on *(date)* 03/08/2012 .

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☒ Other *(specify)*: On March 08, 2012 I served Attorney General via certified mail  
 Attorney General U.S. Department of Justice (Attn: Ed Martin)  
 950 Pennsylvania Avenue NW  
 Washington, DC 20530 .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: 03/16/2012

/s/ Erica Ortiz electronically filed

*Server's signature*

Erica Ortiz Legal Assistant

*Printed name and title*

PO Box 31033  
Albuquerque, NM 87190

*Server's address*

Additional information regarding attempted service, etc: